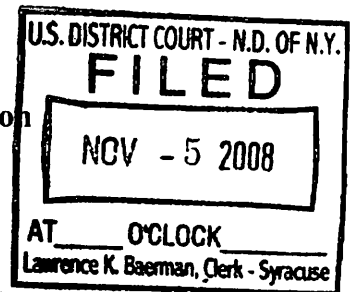


**United States District Court
for the Northern District of New York**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)



Name of Offender: John Earl Johnson

Case Number: 1:03CR-022-001

Name of Sentencing Judicial Officer: Honorable Norman A. Mordue, Chief U.S. District Judge

Date of Original Sentence: July 29, 2003

Original Offense: Possession of a Firearm by a Convicted Felon, 18 U.S.C. 922(g) and 924(a)(2)

Original Sentence: 46 months, 3 years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 4/28/06

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
☒ To modify the conditions of supervision as follows:

1. You shall perform 50 hours of community service. The site, schedule, and conditions shall be approved by the probation officer.

CAUSE

On September 10, 2008, at approximately 2:00 a.m., the defendant was ticketed by the Syracuse City Police Department for No Seat Belt. Johnson failed to advise the probation office of police contact within 72 hours and he did not until being questioned on September 25, 2008. On October 5, 2008, at approximately 8:30 p.m., the defendant was ticketed by the Syracuse City Police Department for Passing a Red Light. On October 8, 2008 at approximately 12:06 a.m., the defendant was ticketed by the Syracuse City Police Department for Failure to Maintain Lane. Johnson did comply with notifying the probation office of these police contacts.

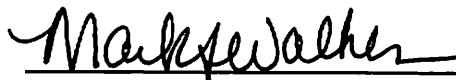
While each of these incidents are traffic infractions, the probation office believes the defendant has developed a pattern of preventable behavior. The defendant is employed as a delivery person for a pizzeria and works evenings and nights. Johnson resides alone in a small, one bedroom apartment in the City of Syracuse.

Johnson is agreeable with this modification and he signed Probation Form 49: Waiver for a Modification Hearing. If the Court agrees to the proposed modification, Probation Form 12B and Probation Form 49 will need to be filed with the Clerk's Office. Therefore, with exception to the recommended modification, no further action is requested at this time.

Request for Modifying the
Conditions or Terms of Supervision
with Consent of the Offender

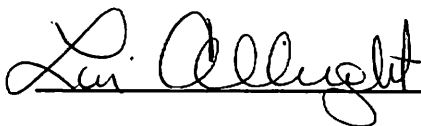
Respectfully submitted,

MATTHEW L. BROWN
Chief U.S. Probation Officer



MARK WALKER
Senior U.S. Probation Officer
Date: 11/4/2008

Approved by:
Lori Albright
Supervising U.S. Probation Officer

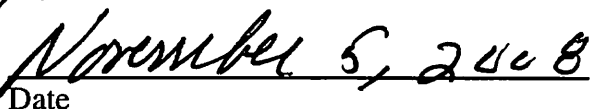


by:

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer


Date

PROB 49
NNYrev.9/02

Waiver of Hearing to Modify Conditions
of Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF NEW YORK**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my conditions of Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have a right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. **I am fully aware this is only a proposal to the Court to address the alleged violation(s) and it is in no way binding upon the Court. The Court has the discretion to order a hearing which could result in a different sanction being imposed.** I agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:

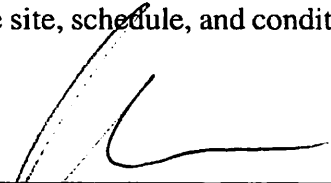
1. You shall perform 50 hours of community service. The site, schedule, and conditions shall be approved by the probation officer.

Witness:

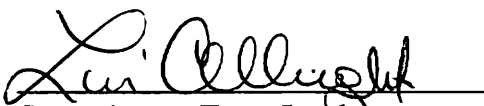


Senior U.S. Probation Officer

Signed:



John Johnson
Supervised Releasee



Supervisor or Team Leader

10 - 9 - 08 
Date